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10 Attorneys for Defendant  
11 CITY OF SAN DIEGO

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ACHILLES D. CORELLEONE, ) Case No. 07cv2094 L (NLS)  
Plaintiff, )  
v. ) **NOTICE OF MOTION AND MOTION TO  
STATE OF CALIFORNIA; CITY OF SAN ) DISMISS**  
DIEGO, CA; COUNTY OF SAN DIEGO, CA; ) Date: April 28, 2008  
JOHN DOES 1 THRU 5 ) Time: 10:30 AM  
Defendants. ) Courtroom: 14  
 ) Judge: M. James Lorenz

**TO: PLAINTIFF, ACHILLES D. CORELLEONE, AND TO HIS ATTORNEYS OF  
RECORD:**

PLEASE TAKE NOTICE that on April 28, 2008, at 10:30 a.m., or as soon thereafter as the matter may be heard in Courtroom 14 of the Honorable M. James Lorenz, in the above-entitled court, located at 940 Front Street, San Diego, California, Defendant, CITY OF SAN DIEGO, by and through its attorney of record, Kathryn A. Snyder, will move the Court to dismiss this action pursuant to the Federal Rules of Civil Procedure, Rules 8(a) (1) and (2), 10(b) and 12(b)(6).

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1        This motion will be based on this notice, the files and records in this case, and the  
2        accompanying Memorandum of Points and Authorities in support of this motion to  
3        dismiss.

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5        Dated: February 13, 2008

MICHAEL J. AGUIRRE, City Attorney

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7        By /s/ Kathryn A. Snyder  
8                    KATHRYN A. SNYDER  
9                    Deputy City Attorney

10                   Attorneys for Defendant  
11                   CITY OF SAN DIEGO

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